

IN RE: PETITION FOR ZONING VARIANCE \* BEFORE THE  
SS Ridgefield Road, 190 ft. \* ZONING COMMISSIONER  
17 Ridgefield Road \*  
4th Election District \* OF BALTIMORE COUNTY  
Robert S. Smith, et ux \* Case No. 94-7-A  
Petitioners \*

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Variance for that property located at 17 Ridgefield Road in Lutherville. The Petition is filed by Robert S. Smith and Mary Q. Smith, his wife, property owners. The Petitioners seek relief from Section 415.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a recreational vehicle (trailer boat) to be located in the front yard of the subject property in lieu of the required side or rear yards.

This matter was originally filed as a Petition for Administrative Variance, which does not necessarily mandate a public hearing. However, after the posting of the property, a request for hearing was received. Thus, pursuant to Section 26-127 of the Baltimore County Code, the matter was scheduled for public hearing.

Appearing at the public hearing held for this case were the Petitioners, Robert S. Smith and Mary Q. Smith, his wife. They were not represented by counsel. Also appearing on their behalf was Sherry Cronin of 19 Ridgefield Road. Numerous individuals appeared in opposition to the Petition. They included Barbara Poniatowski, Jeffrey Griffin, Donald Michael and other members of the community. These individuals all appeared in opposition to the Petition as did representatives of the Dulane Valley Improvement Association. That Association was represented by Michael Tanczyn, Esquire.

Mr. and Mrs. Smith testified and described the property and the requested relief. The subject site is a residential lot located in the Dulane Valley subdivision in Lutherville. The property is approximately .21 acres in size and is zoned D.R.5.5. Presently, it is improved with an existing dwelling, attached garage and driveway. The property maintains an approximate 10 ft. setback distance on the east side and a 15 ft. setback on the west side. Presently, the Petitioners store a trailer boat in the driveway. The Petitioners use this boat for fishing and recreation in the Chesapeake Bay and throughout the waters of nearby states. The boat is approximately 17 ft. long and the trailer is approximately 21 ft. The boat is open; that is, there is no cabin or other secured/enclosed area.

The Petitioners request the subject variance to allow continued storage of the boat on the subject site. They claimed that the boat cannot be stored in the side or rear yards as mandated by the B.C.Z.R. On the east side, the property maintains a narrow setback distance and with landscaping and the outside HVAC unit, there is insufficient distance for storage. On the west side of the property, the Petitioners indicate that the property has a steep slope which prevents storage. As to storage offsite, the Petitioners indicated that they have considered other alternatives but have rejected same. They expressed concerns over security for the boat if it was stored offsite. Also, no doubt the expenses of leasing a storage area or slip are considerations. Lastly, the Petitioners testified that other RVs are stored in a like manner in the community and they believe that they are being singled out in this case.

Testimony was also heard from numerous Protestants. Mrs. Barbara Poniatowski of the Dulane Valley Improvement Association objects to the proposed variance. She believes that the storage of the trailer boat

-2-

constitutes an eyesore in the community and voiced esthetic considerations. Her comments were echoed by Jeffrey Griffin who also lives nearby. He is also concerned about maintaining the residential character and ambience of the neighborhood. Lastly, Donald Michael, who lives across the street, and has lived in the community for many years, also objects to the variance. He believes that a proliferation of RV storage in the community would diminish property values and detract from the character of the community.

Storage of recreational vehicles is governed by Section 415 of the B.C.Z.R. Clearly the trailer boat shall be considered a recreational vehicle. In fact, it is designated as such in the definitional section of the B.C.Z.R. contained in Section 101. Section 415.A.4 provides that exceptions to the storage requirements may be granted when strict compliance would create an undue hardship. Moreover, the concept of undue hardship has been defined by the appellate courts of this State. See Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28, 322 A.2d, 220 (1974). In order to prove an undue hardship, the Petitioner must demonstrate that compliance with the regulations would be unduly burdensome. That is, an exception should not be granted for the mere convenience of the Petitioner and his property. The needs sufficient to justify an exception must be substantial and urgent.

In the instant case, I am unpersuaded that the Petitioners have met their burden. Although storage on the subject site might be difficult, the testimony and evidence presented was clear that the Petitioners have not satisfactorily explored other alternatives. I am unconvinced by the Petitioners' arguments that storage offsite is not feasible. Certainly the Petitioners are free to pursue their recreational activities. However, the subject property is not a waterfront lot. In this case, continued

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storage of the trailer boat in the current manner would be inappropriate and inconsistent with the character of the surrounding community. For the foregoing reasons, the Petition for Variance must be denied.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 15<sup>th</sup> day of October, 1993 that a variance from Section 415.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a recreational vehicle (trailer boat) to be located in the front yard of the subject property in lieu of the required side or rear yards, be and is hereby DENIED.

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES/mmm

ORDER RECEIVED FOR FILING  
Date 10/16/93  
By Sherry Cronin

ORDER RECEIVED FOR FILING  
Date 10/16/93  
By Sherry Cronin

ORDER RECEIVED FOR FILING  
Date 10/16/93  
By Sherry Cronin

ORDER RECEIVED FOR FILING  
Date 10/16/93  
By Sherry Cronin

-4-

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

October 15, 1993

Mr. and Mrs. Robert S. Smith  
17 Ridgefield Road  
Lutherville, Maryland 21093

RE: Case No. 94-7-A  
Petition for Variance  
Property: 17 Ridgefield Road

Dear Mr. Smith:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been denied, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,  
Lawrence E. Schmidt  
Zoning Commissioner

LES:mmm  
att.  
cc: Michael P. Tanczyn, Esquire  
Suite 106, 606 Baltimore Avenue  
Towson, Md. 21204

## Petition for Administrative Variance to the Zoning Commissioner of Baltimore County for the property located at 17 Ridgefield Road which is presently zoned

This Petition shall be filed with the Office of Zoning Administration & Development Management.  
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

To allow a recreational vehicle (trailer boat) to be located in the front yard in lieu of the required side or rear yards

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)  
Due to the layout of the property (re: topography and spacing between the house and property lines) it is not possible to conform to zoning regulations.

Property is to be posted and advertised as prescribed by Zoning Regulations.  
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Person/Owner

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City

State

Zipcode

With an attorney declared and sworn, under the penalties of perjury, that I am the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s)

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City

State

Zipcode

REVIEWED BY: [Signature] DATE: 10/15/93  
ESTIMATED FILING DATE: 10/15/93

Zoning Commissioner of Baltimore County

ITEM # 8

## Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) were competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do(es) presently reside at: 17 Ridgefield Road

Lutherville, Maryland 21093

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (Indicate hardship or practical difficulty)

Due to the layout of the property (re: topography and spacing between the house and property lines) it is not possible to conform to zoning regulations.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a responding and advertising fee and may be required to provide additional information.

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 15<sup>th</sup> day of October, 1993, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Robert S. Smith and Mary Q. Smith

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

DATE: 10/15/93

My Commission Expires: 11/1/97

Zoning Description #8  
for #17 Ridgefield Rd.  
Election Dist. 9<sup>th</sup> CO. Dist. 4<sup>th</sup>

Beginning at a point on the South side of Ridgefield Rd. at the distance of 190 ft. ± East of Tenbury Rd. Being Lot no. 3 in the subdivision of Dulane Valley as recorded in Balto. Co. Plat Book 22 Folio 133 (Block B), containing .21 acre ±.

94-7-A

**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 94-7-1A Date of Posting: 8/6/93

Posted for: Variance

Petitioner: Robert S. Smith

Location of property: 17 Ridgefield Rd, 190' E of Tenbury Rd

Location of Sign: Tenbury Rd. on property to be used

Remarks:

Posted by: [Signature] Date of return: 8/6/93

Number of Signs: 1

**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 94-7-1A Date of Posting: 7/14/93

Posted for: Variance

Petitioner: Robert S. Smith

Location of property: 17 Ridgefield Rd, 190' E of Tenbury Rd

Location of Sign: Tenbury Rd. on property to be used

Remarks:

Posted by: [Signature] Date of return: 7/23/93

Number of Signs: 1

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., 8/5, 1993

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 8/5, 1993.

**THE JEFFERSONIAN,**  
**A. Henickson**  
LEGAL AD. - TOWSON

**BALTIMORE COUNTY, MARYLAND**  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE: 7/27/93 ACCOUNT: R001-6150

AMOUNT: 40 -

RECEIVED FROM: Dulaney Valley Imp Assoc

FOR: Request for Hearing on 94-7

03A03M03061CHRC \$40.00

VALIDATION OR SIGNATURE OF CASHIER

**BALTIMORE COUNTY, MARYLAND**  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE: 8/3/93 ACCOUNT: R001-6150

AMOUNT: 35.00

RECEIVED FROM: Mary Q. Smith

FOR: Refiling 94-7-A

VALIDATION OR SIGNATURE OF CASHIER

94-7-A

**receipt**

Account: R-001-6150

Date: 7-2-93 Item Number: 8

Mary Q. Smith  
17 Ridgefield Rd (21093)

010 - Variance hearing 50.00  
080 - Sign + posting 35.00  
Total 85.00

03A03M03061CHRC \$85.00

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3353

JULY 29, 1993

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-7-A (Item 8)  
17 Ridgefield Road  
SS Ridgefield Road, 190' E of Tenbury Road  
9th Election District - 4th Councilmanic  
Petitioner(s): Robert S. Smith and Mary Q. Smith  
HEARING: WEDNESDAY, AUGUST 25, 1993 at 9:00 a.m. in Rm. 118, Old Courthouse.

Variance to allow a recreational vehicle (trailer boat) to be located in the front yard in lieu of the required side or rear yard.

[Signature]  
Arnold Jablon  
Director

cc: Robert S. Smith and Mary Q. Smith  
Dulaney Valley Improvement Association  
Donald E. Michael

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

TO: PITTOMPT PUBLISHING COMPANY  
August 5, 1993 Issue - Jeffersonian

Please forward billing to:

John and Mary Smith  
17 Ridgefield Road  
Lutherville, Maryland 21093  
410-823-0666

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 94-7-A (Item 8)  
17 Ridgefield Road  
SS Ridgefield Road, 190' E of Tenbury Road  
9th Election District - 4th Councilmanic  
Petitioner(s): Robert S. Smith and Mary Q. Smith  
HEARING: WEDNESDAY, AUGUST 25, 1993 at 9:00 a.m. in Rm. 118, Old Courthouse.

Variance to allow a recreational vehicle (trailer boat) to be located in the front yard in lieu of the required side or rear yard.

LAWRENCE E. SCHWIDY  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3353

AUGUST 27, 1993

**NOTICE OF REASSIGNMENT**

Former Closing Date: 8/2/93  
Rescheduled from 8/25/93  
CASE NUMBER: 94-7-A (Item 8)  
17 Ridgefield Road, 190' E of Tenbury Road  
SS Ridgefield Road, 190' E of Tenbury Road  
9th Election District - 4th Councilmanic  
Petitioner(s): Robert S. Smith and Mary Q. Smith

Variance to allow a recreational vehicle (trailer boat) to be located in the front yard in lieu of the required side or rear yard.

HEARING: TUESDAY, OCTOBER 12, 1993 at 11:30 a.m. in Rm. 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland 21204.

[Signature]  
ARNOLD JABLON  
DIRECTOR

cc: Robert and Mary Smith  
Michael Tenczyn, Esq.  
Donald E. Michael  
Allan Anderson  
H. Page Chesser  
Dulaney Valley Improvement Association

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3353

July 23, 1993

Mr. and Mrs. Robert S. Smith  
17 Ridgefield Road  
Lutherville MD 21093

RE: Item No. 8, Case No. 94-7-A  
Petitioner: Robert S. Smith, et ux  
Petition for Variance

Dear Mr. and Mrs. Smith:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on July 2, 1993, and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Baltimore County Government  
Office of Zoning Administration  
and Development Management

111 West Chesapeake Avenue  
Towson, MD 21204 (410) 887-3353

July 23, 1993

**Zoning Plans Advisory Committee Comments**  
Date: July 23, 1993  
Page 2

2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.

3) Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

Very truly yours,  
W. Carl Richards, Jr.  
W. Carl Richards, Jr.  
Zoning Coordinator

MCR:jw  
Enclosures





Maryland Department of Transportation  
State Highway Administration

O. James Lighthizer  
Secretary  
Hal Kassoff  
Administrator

Ms. Helene Kehring  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: BALTIMORE CO.  
Item No. \* 8 (JJS)

Dear Ms. Kehring:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

John Contestabile, Chief  
Engineering Access Permits  
Division

BS/

My telephone number is \_\_\_\_\_

Teletypewriter for Impaired Hearing or Speech  
383-7555 Baltimore Metro - 865-0451 D.C. Metro - 1-800-452-5082 Statewide Toll Free  
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and  
Development Management

DATE: July 20, 1993

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):  
Item Nos. 4, 8, 14 and 16.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey M. Long

Division Chief: \_\_\_\_\_

PK/JL:lw

ZAC-4/ZAC1

BALTIMORE COUNTY, MARYLAND  
Inter-Office Correspondence

TO: Zoning Advisory Committee

DATE: July 16, 1993

FROM: Captain Jerry Pfeiffer

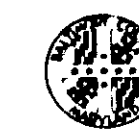
SUBJECT: July 26, 1993 Meeting

- #8 No Comments 44-7-A 7/2  
#9 No Comments  
#11 No Comments  
#12 Buildings shall comply with the 1991 Life Safety Code.  
Fire hydrant locations need to be shown.  
#13 Building shall comply with the 1991 Life Safety Code.  
#14 No Comments  
#15 No Comments  
#16 No Comments

RECEIVED  
JUL 28 1993

ZACM  
Helene Kehring

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

JULY 27, 1993

Robert S. Smith and Mary Q. Smith  
17 Ridgefield Road  
Lutherville, Maryland 21093

Re: Case Number: 94-7-A  
17 Ridgefield Road  
S/S Ridgefield Road, 190' +/- E of Tenbury Road  
9th Election District - 4th Councilmanic

Dear Mr. & Mrs. Smith:

A formal REQUEST FOR PUBLIC HEARING has been filed in your case. Formal notification of the hearing date will be forwarded to you shortly.

As to the public hearing, legal requirements demand that the property be reposted and notice of the hearing appear in a newspaper of general circulation. This office will report the property and place the newspaper ad for you.

Reposting charges in the amount of \$35.00 are now due. Your check in this amount should be made payable to "Baltimore County, Maryland" and immediately mailed to this office.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

Please be further advised that non-payment of fees will stay the issuance of the Zoning Commissioner's Order.

If you have any questions concerning this letter or the scheduling of your case for public hearing, you may contact Owen Stephens at 887-3391.

Very truly yours,

Arnold Jablon, Director



Printed on Recycled Paper

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Zoning Commissioner  
Deputy Zoning Commissioner

FROM: John J. Sullivan, Jr.  
Planner II

SUBJECT: Administrative Form

I informed Mrs. Smith at today's filing appointment that since there was a complaint involved, she may have to have a hearing as the complainant may protest. I informed her that if the complainant does protest and pay a fee that she must start over again, Mrs. Smith stated that she wished to proceed with this submitted form.

JJS:jaw

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

JULY 15, 1993

NOTICE OF CASE NUMBER ASSIGNMENT

TO: Robert S. Smith and Mary Q. Smith  
17 Ridgefield Road  
Lutherville, Maryland 21093

Re: CASE NUMBER: 94-7-A (Item 8)  
17 Ridgefield Road  
S/S Ridgefield Road, 190' +/- E of Tenbury Road  
9th Election District - 4th Councilmanic

Please be advised that your petition for Administrative Zoning Variance has been assigned the above case number. Contact with this office regarding the status of this case, should reference the case number and be directed to 887-3391. This notice also serves as a reminder regarding the administrative process.

1) Your property will be posted on or before July 18, 1993. The closing date (August 2, 1993) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon, Director



Printed on Recycled Paper



Zoning  
Enforcement

Baltimore County  
Zoning Administration & Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
(410) 887-3353

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Larry E. Schmidt  
Zoning Commissioner

DATE: July 6, 1993

FROM: James H. Thompson - DT  
Zoning Enforcement Coordinator

SUBJECT: ITEM NO.: 8  
PETITIONER: ROBERT S. AND MARY Q. SMITH

VIOLATION CASE NO.: C-93-2317

LOCATION OF VIOLATION: 17 Ridgefield Road  
Luth-Timonium, MD 21093  
8th Election District

DEFENDANTS: Robert S. and Mary Q. Smith  
17 Ridgefield Road  
Luth-Timonium, MD 21093

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following persons:

NAME ADDRESS

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Zoning Enforcement Coordinator, so that the appropriate action may be taken relative to the violation case.

JHT/DT/cmm

PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
R. Lawson Fowle	1127 LONGBRICK RD
Charles Taylor	26 Tenbury Rd
Tom Chikras	15 Ridgefield Rd
Elizabeth Chikras	
Donald C. Mulvaney	80 Ridgefield Rd
Jeffrey Chikras	1119 Longbrook Rd
Raymond E. Seals	107 RIDGEFIELD RD
Joseph P. Mulvaney	21 Ridgefield Rd
Barbara Brantley	24 Greenway Rd

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Robert S. Smith	17 Ridgefield Rd
Mary Q. Smith	17 Ridgefield Rd
Sherry Cronin	19 Ridgefield Rd



# Dulaney Valley Improvement Association

p.o. box 102  
lutherville, md. 21094

July 21, 1993

Zoning Commissioner  
Baltimore County  
111 W. Chesapeake Ave.  
Towson, MD. 21204

Ref: Case #94-7A

The Dulaney Valley Improvement Association is requesting a hearing on Case #94-7A - 17 Ridgefield Road - Variance of setback. Please notify us of hearing date. Thank you.

Sincerely,

Barbara Poniatowski  
Chairperson, Zoning

cc: file  
M. Tanczyn  
D. Michael



# Dulaney Valley Improvement Association

P.O. box 102  
lutherville, md. 21093

July 23, 1993

To Whom It May Concern:

The enclosed check, \$766, is the fee regarding the request for hearing of Case 94-7-A.

Lawrence M. Backson  
Treasurer

RECEIVED  
JUL 26 1993  
ZADM

Law Offices  
Michael P. Tanczyn, P.A.  
Suite 106, 606 Baltimore Avenue  
Towson, Maryland 21204  
(410) 296-8823 • (410) 296-8824  
Fax: (410) 296-8827

August 6, 1993

Lawrence Schmidt, Zoning Commissioner  
County Office Building  
111 West Allegheny Avenue  
Towson, MD 21204

Re: Case Number 94-7A  
Hearing 8/25/93  
17 Ridgefield Road

Dear Mr. Schmidt:

Please enter my appearance on behalf of Dulaney Valley Improvement Association in the above case.

I have been advised by my client that a material witness and interested individual property owner, Mr. Michael, has been previously scheduled to be out of state on August 25, 1993 when I understand this matter is set for hearing. We would therefore respectfully request that this matter be postponed and a new hearing date set to allow Mr. Michael to be present and participate in the proceedings in which he has taken a very active interest.

Very truly yours,

Michael P. Tanczyn

MPT/ed

cc: Cheryl Malone, President  
Ms. Barbara Poniatowski

RECEIVED  
AUG 17 1993  
ZONING COMMISSIONER

Mrs. Frederick W. Creamer  
111 Longbrook Road  
Lutherville, Maryland 21093-6907  
August 17, 1993

Dear Sirs:  
I am writing as a concerned homeowner living in Dulaney Valley. At 17 Ridgefield Road, the owner is asking permission to park his boat in the driveway at all times. I object to this because it not only detracts from the aesthetics of the neighborhood, but opens the door for future homeowners to do the same. As a taxpayer, & a development homeowner, I ask that you deny this privilege to this homeowner.

Thank you for your consideration.  
Sincerely,  
Theresa Creamer

Case: [redacted] Wed, 8/25-9 AM.

17 Ridgefield Rd  
Lutherville Md 21093

Mr. Arnold Jablon, Zoning Div.  
111 W. Chesapeake Ave  
Towson, Md 21204

Re: Case 94-7 A  
Wed Aug 25 9am

Dear Mr. Jablon:

As residents of Ridgefield Road, we strongly object to the proposed change in zoning that would allow a boat to be parked under in the driveway as alongside the house as proposed in the subject case.

Mark & Jean Payson

RECEIVED  
AUG 20 1993  
ZADM

Handwritten note: 8/18/93 6883-93

Dear Mr. Jablon,  
I am writing to contest case 94-7-A. It concerns a large boat sitting on a driveway for months. It does spoil the image of our nice neighborhood. It's on Ridgefield Rd. and I can't see it daily.

As you know, if this is permitted it will open the door for more boats, RV's, and trailers of all sorts to be parked on our streets.

Thank you for taking time to read this.

Sincerely yours,  
The Allan Anderson Family  
1110 Longbrook Rd.  
Lutherville, Md. 21093

Handwritten note: 6520-93 July 26, 1993 BS 7/18/93

Zoning Commissioner  
Baltimore County  
111 W. Chesapeake Ave  
Towson, Maryland 21204

Re: Case #94-7A

We the undersigned request a hearing on Case #94-7A, 17 Ridgefield Road, Lutherville, Maryland - Variance of Setback. Please notify us of hearing date.

Thank you.

H. Page Chesson  
Elizabeth A. Chesson  
24 Ridgefield Road  
Lutherville, Md. 21093

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JUL 28 1993  
ZADM

July 19, 1993  
Baltimore County Government  
Office of Zoning Administration  
111 West Chesapeake Ave.  
Towson, MD 21204

Subject: Case #: 94-7A  
C-93-2317  
17 Ridgefield Rd.

Dear Sir/Madame:

A public hearing is requested on the captioned case.

Very truly yours,

Donald E. Michael  
20 Ridgefield Rd.  
Lutherville, MD 21093  
823-2573

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JUL 21 1993  
ZADM

August 6, 1993  
Mr. Arnold Jablon, Director  
Office of Zoning Administration  
and Development Management  
Baltimore County Government  
111 West Chesapeake Ave.  
Towson, MD 21204

Subject: Case number: 94-7-A (Item 8)  
Hearing date: August 25, 1994 ?

Dear Mr. Jablon:

The Notice of Hearing indicates a hearing date of August 25, 1994. Presuming this to be a typo is 1994 instead of 1993, a postponement is requested to a later date in 1993 due to out of State business appointments.

Very truly yours,

Donald E. Michael  
20 Ridgefield Rd.  
Lutherville, MD 21204

cc: The Honorable Vernon F. Booser  
614 Bosley Ave.  
Towson, MD. 21204

cc: Michael Tanczyn  
Attorney at Law  
606 Baltimore Ave.  
Towson, MD 21204

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AUG 9 1993  
ZADM

7039-93  
65

1127 Longbrook Road  
Lutherville, Maryland 21093  
August 16, 1993

Mr. Arnold Jablon  
Zoning Director  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Case 94-7-A  
17 Ridgefield Road  
Lutherville

Dear Sir:

My wife and I both wish to register our objections to the appellant's request in the subject case. As we understand the matter, the residents are appealing for a variance in zoning to allow storage of a rather large boat on a licensed trailer in their sideyard. Without such a change they would be violating zoning set-back requirements as well as development covenants.

With the granting of such a random request a precedent would be established for future zoning variances of a similar nature. Our neighborhood is already beset by zoning changes from York Road as well as violations of motor vehicle laws and the lack of enforcement of residential covenants. The owners of the boat must have known of the zoning restriction before they bought same. To grant this variance will open the gates for every boat owner in the community (and there are many) to apply for the same right. Next will come mobile homes, campers, and multi-purpose vehicles of all sorts.

Your denial of this request will be greatly appreciated.

Sincerely,

*Ruth A. Fowble*

*Ruth A. Fowble*  
Ruth A. Fowble  
R. Lawson Fowble

RECEIVED  
AUG 17 1993

ZADM

October 9, 1993

Zoning Commissioner  
Baltimore County

Case 94-7-A

This letter is to confirm that I have no objections to Robert S. Smith and Mary Q. Smith parking their trailered boat in the driveway in front of their house (17 Ridgefield Road, Lutherville, MD 21093).

*Robert S. Smith*  
*Mary Q. Smith*  
30 Ridgefield Rd.

August 20, 1993

Zoning Commissioner  
Baltimore County

Case 94-7-A

This letter is to confirm that I have no objections to Robert S. Smith and Mary Q. Smith parking their trailered boat in the driveway in front of their house (17 Ridgefield Road, Lutherville, MD 21093).

*Dr. & Mrs. Brian Fowble*  
*4 Felton Rd*  
339-5302

October 9, 1993

Zoning Commissioner  
Baltimore County

Case 94-7-A

This letter is to confirm that I have no objections to Robert S. Smith and Mary Q. Smith parking their trailered boat in the driveway in front of their house (17 Ridgefield Road, Lutherville, MD 21093).

*Fred J. Jablon*  
*Emory T. Jablon*  
28 Ridgefield Road

PROPERTY ADDRESS: 17 RIDGEFIELD RD. see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: DULANEY VILLAGE

plat books 22, folio 133, lot 3, section 8, BLOCK B AS SHOWN ON REVISION OF PLAT ONE RIDGEFIELD

OWNER: ROBERT & MARY SMITH

94-7-A

EXISTING DWELLING # 19 FRONT

EXISTING DWELLING # 17 FRONT

EXISTING DWELLING # 15 FRONT

61.21' Ridgefield RD

190' to Tenbury Rd

SEWER: ☒ ☐

WATER: ☒ ☐

Chesapeake Bay Critical Area: ☒ ☐

Prior Zoning Hearings: NONE

Zoning Office USE ONLY: reviewed by: *RBH* ITEM #: 8 CASE#: B

North  
date: 4/5/93  
prepared by: Robert SMITH Scale of Drawing: 1"=50'

PETITIONER'S EXHIBIT NO. 1


THE ONE BOOK  
1992-93

Protestants No 1

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DULANEY VALLEY IMPROVEMENT ASSOCIATION, INC.

RESOLVED: that the position of the Dulane Valley Improvement Association, Inc. as adopted by the Board of Directors on June 1, 1993 on the zoning matter known as Case No. 94-7-A, Petition for a Parking Variance to park a boat in the driveway of the Smith residence at 17 Ridgefield Road, is that it is strongly opposed.

AS WITNESS our hands and seal this 10<sup>th</sup> day of October, 1993.

ATTEST:

*Nanette M. Sweet*  
SECRETARY

DULANEY VALLEY IMPROVEMENT ASSOCIATION, INC.

By *Cheryl Malone*  
CHERYL MALONE, President

Protestants No 2

# BLACK'S LAW DICTIONARY

Definitions of the Terms and Phrases of  
American and English Jurisprudence,  
Ancient and Modern

By

HENRY CAMPBELL BLACK, M. A.  
Author of Treatises on Judgments, Tax Titles, Intoxicating Liquors,  
Bankruptcy, Mortgages, Constitutional Law, Interpretation  
of Laws, Rescission and Cancellation of Contracts, Etc.

REVISED FOURTH EDITION

By

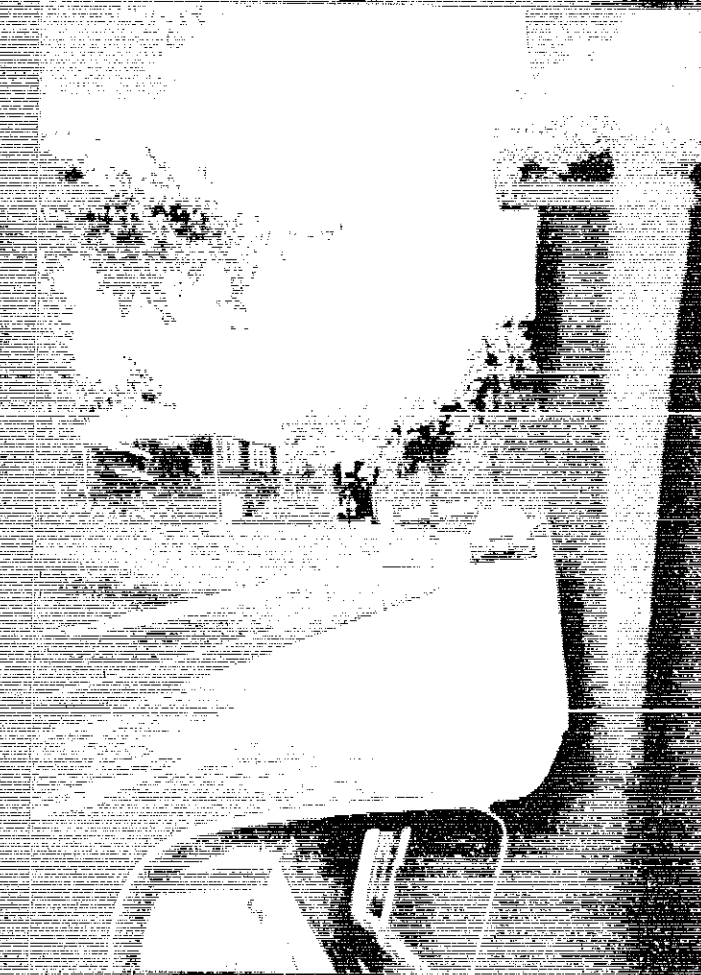
THE PUBLISHER'S EDITORIAL STAFF

Protestants No 3

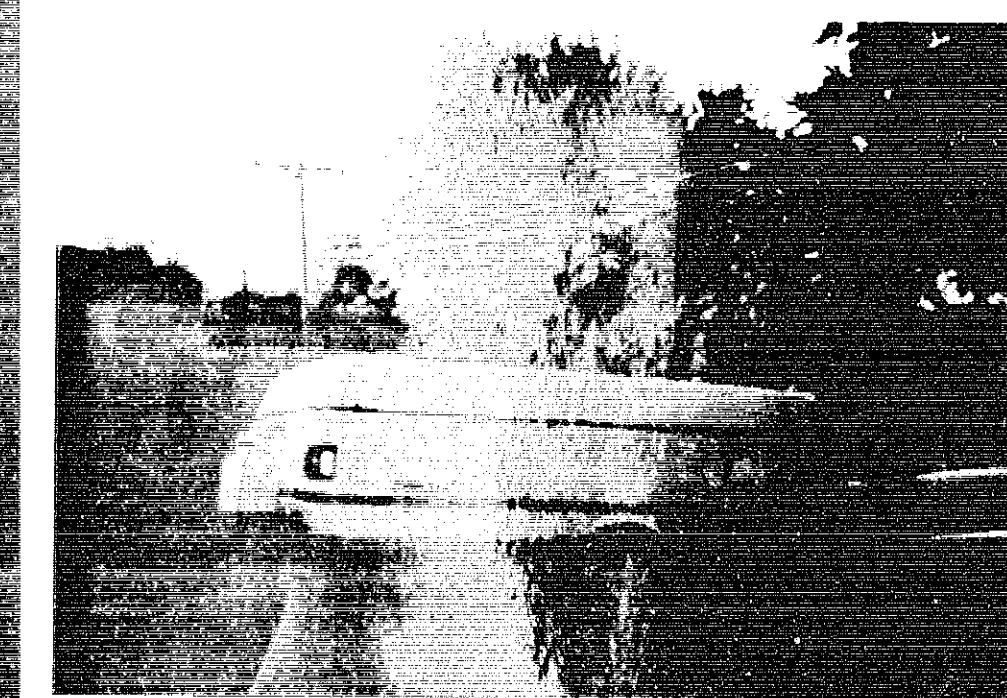
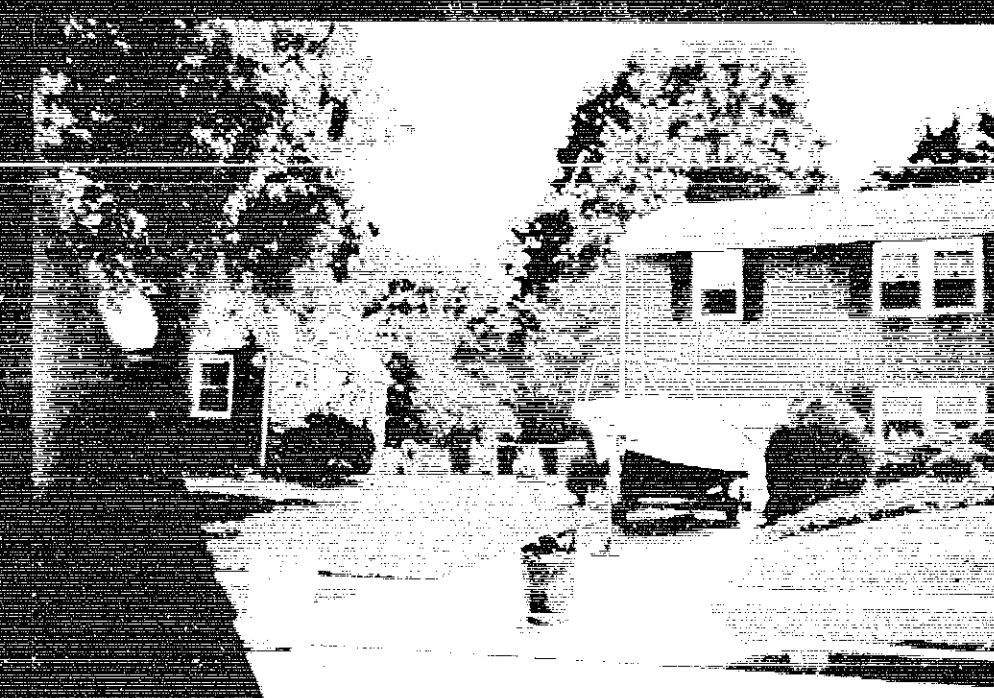
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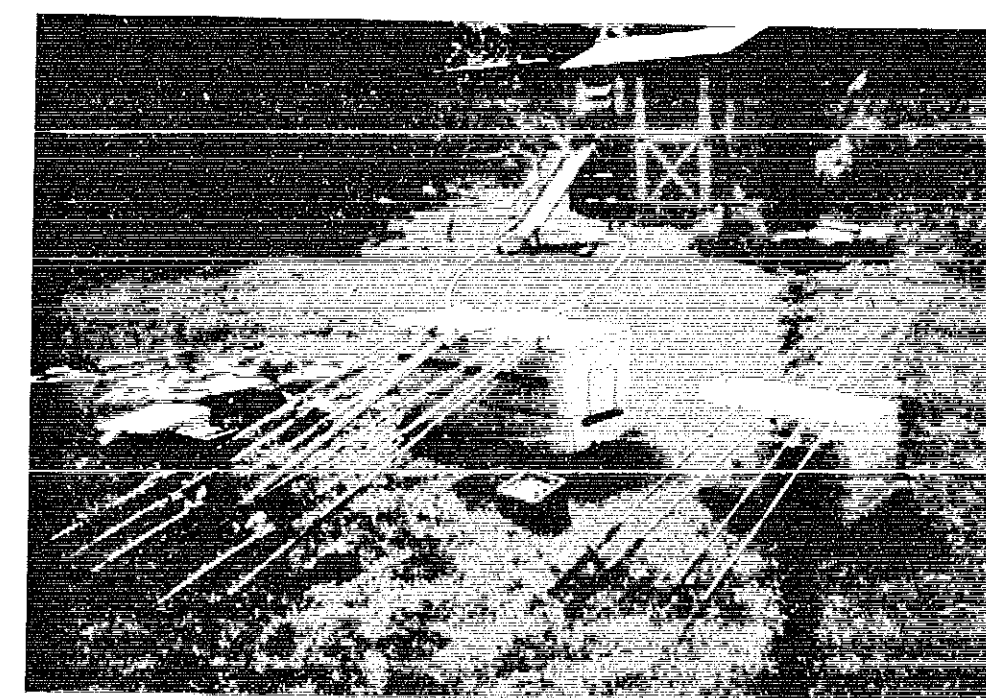
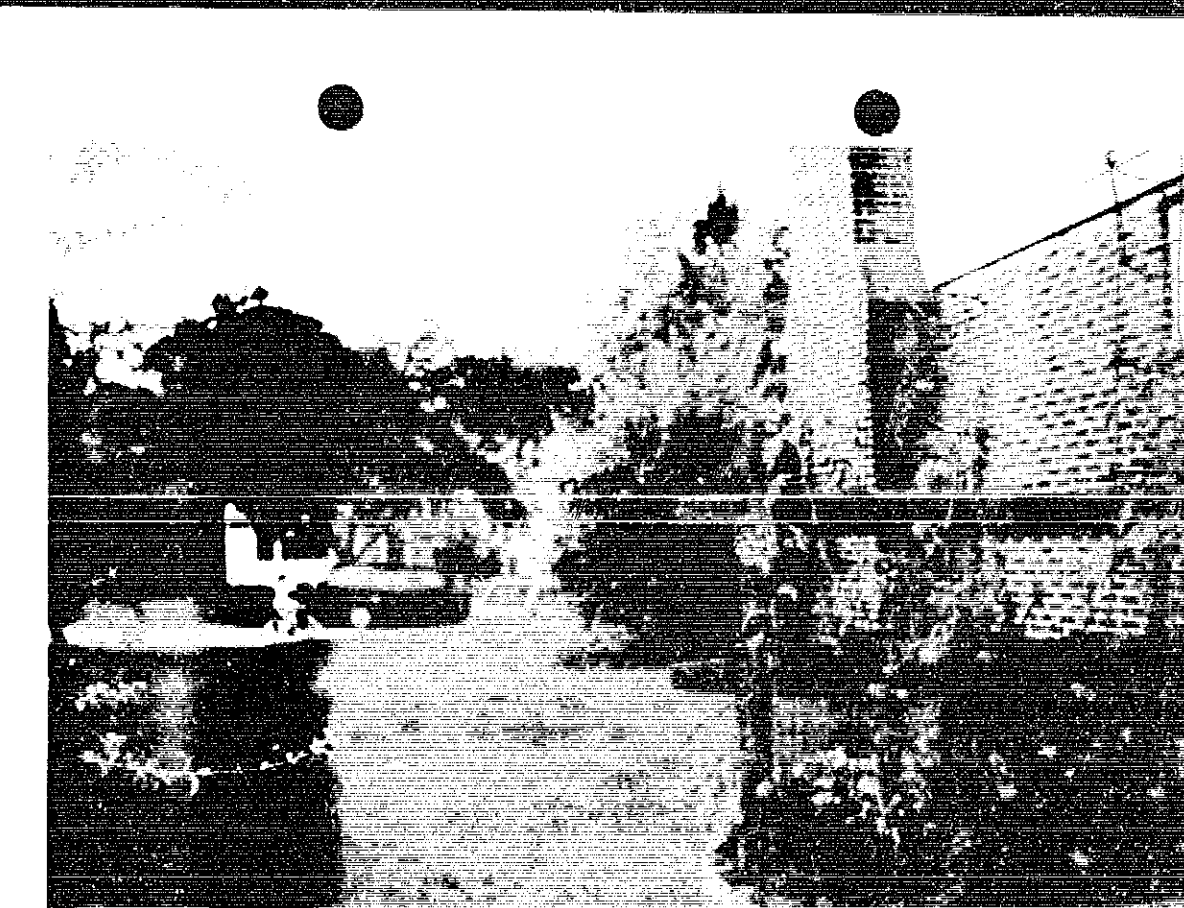
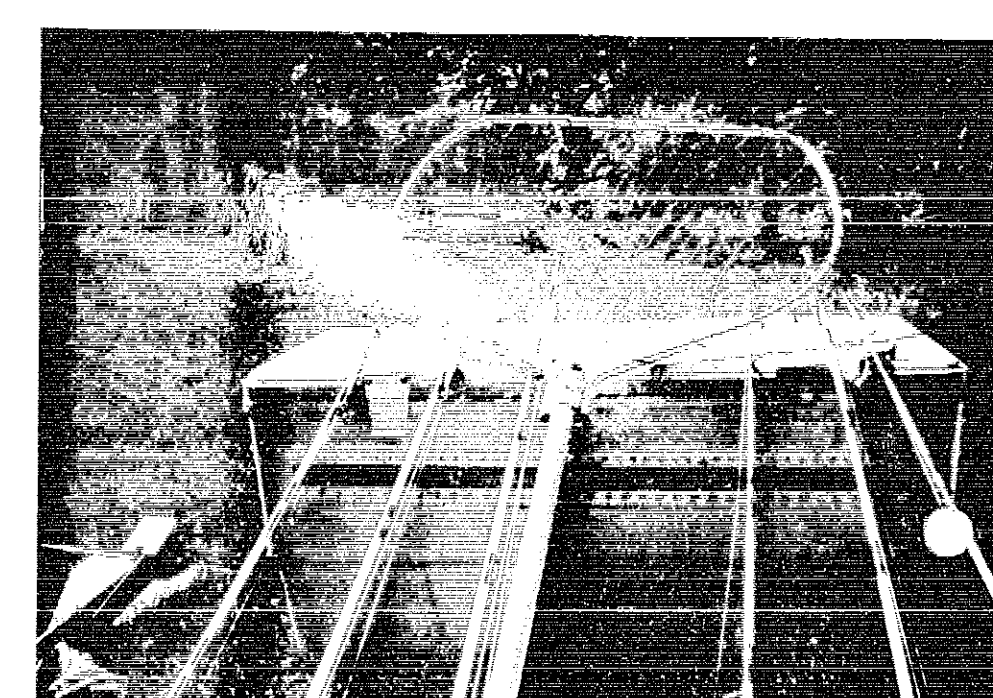
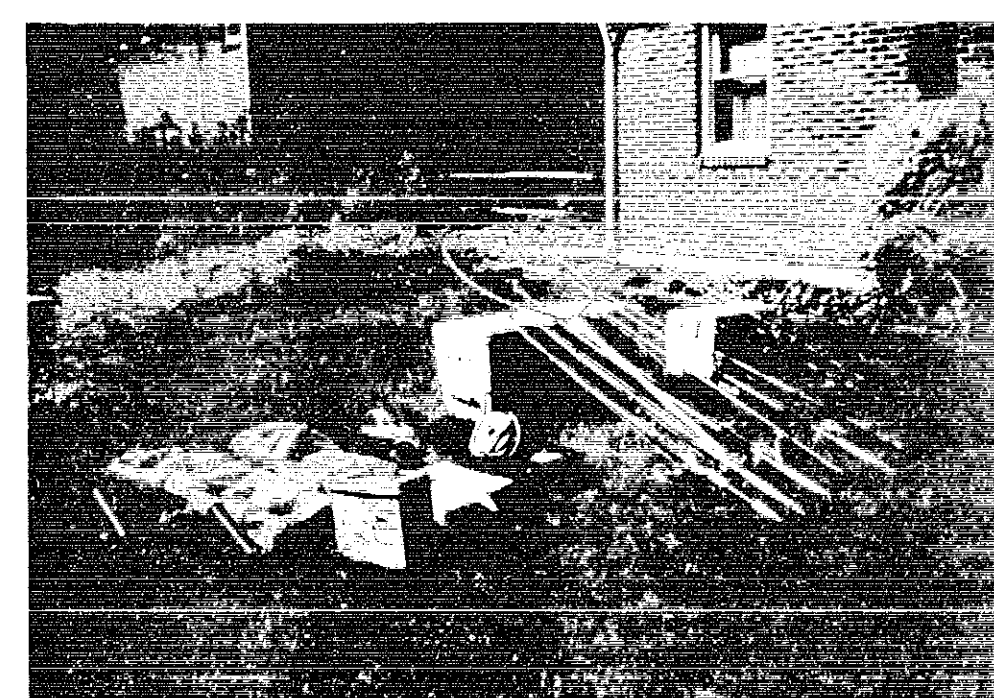
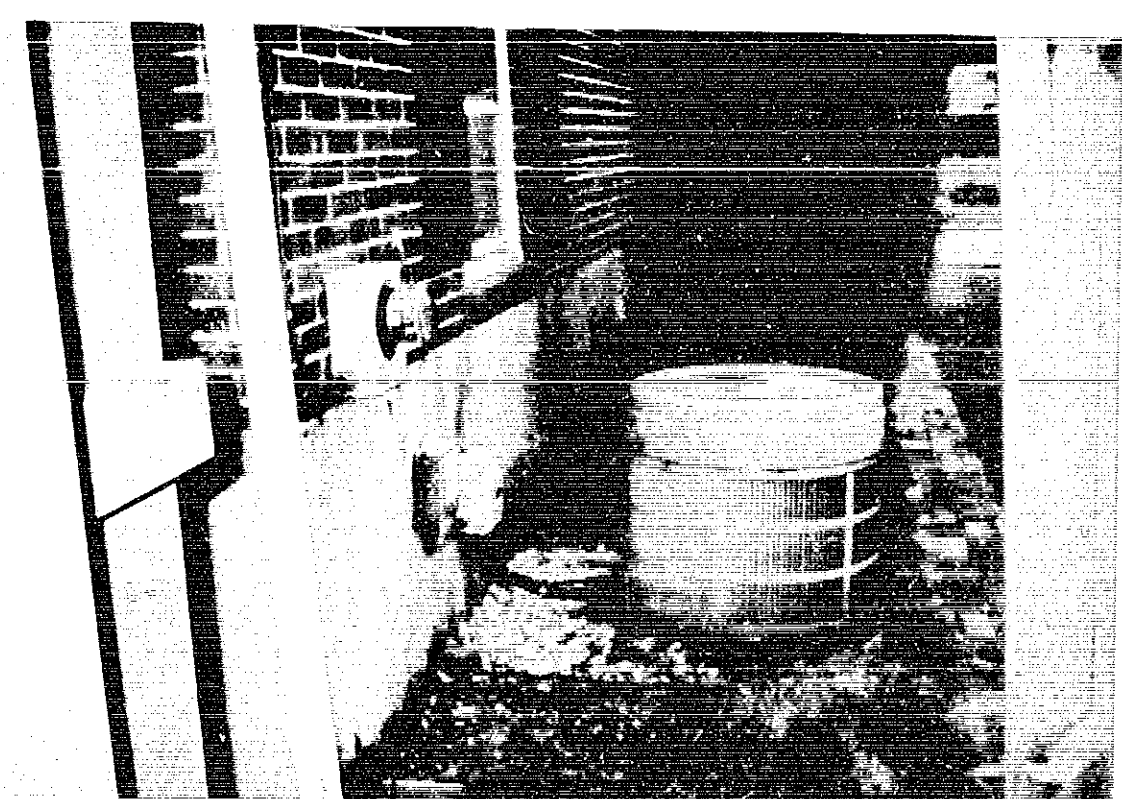
94-7-A



Ref 20



Ref No 21

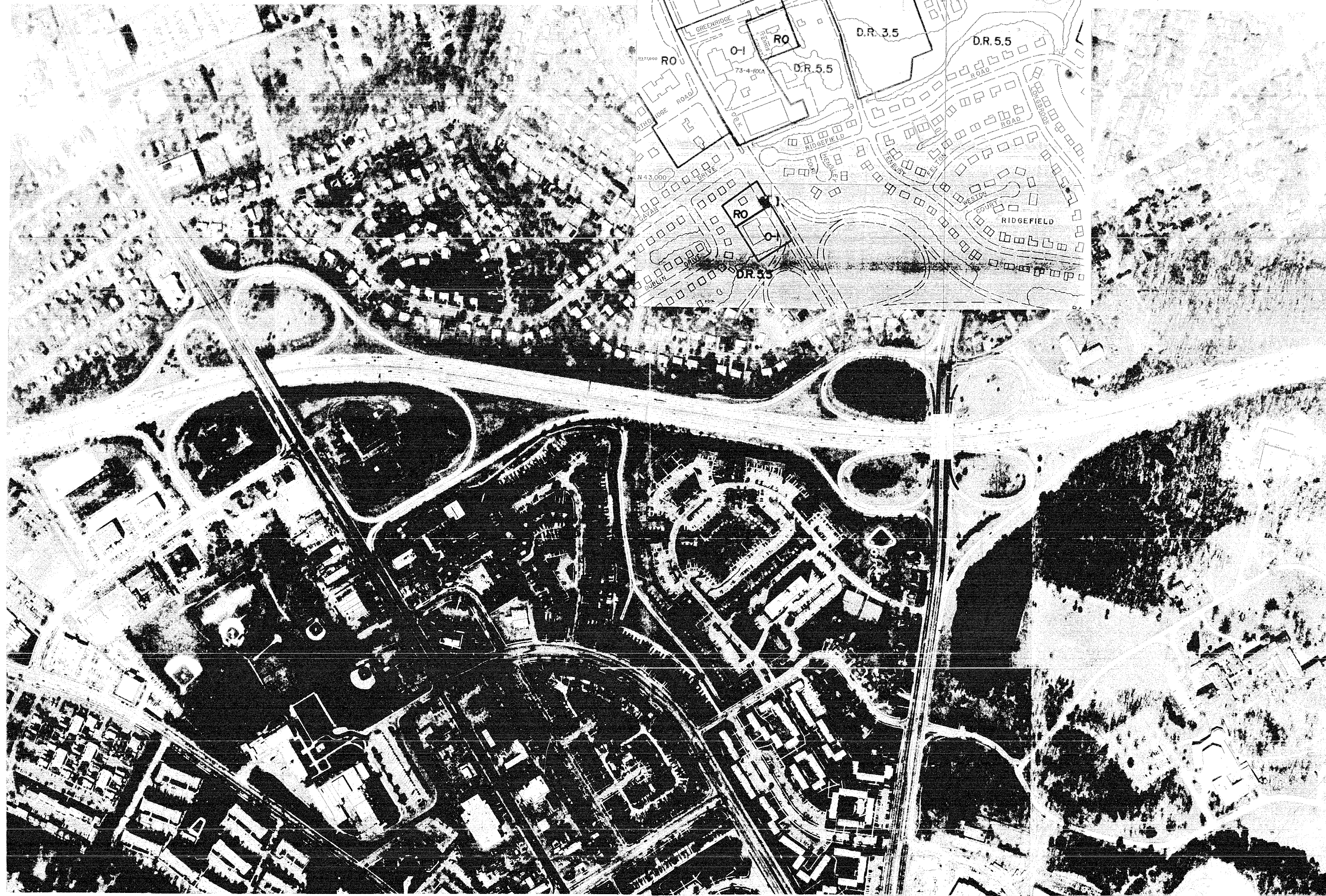


Ref 22



Ref 23





#8  
94-7-A

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W.V. 25401

SCALE 1" = 200' ±	LOCATION  TOWSON	SHEET  N.E. 11-A
DATE OF PHOTOGRAPHY JANUARY 1986		